

UNITED STATES PATENT AND TRADEMARK OFFICE

**MAILED**

**MAR 16 2004**

**PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES**

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte KENNETH J. COOL

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Application 10/042,428

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received at the Board of Patent Appeals and Interferences on January 28, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

The following Japanese references listed in the Examiner's Answer, below do not have English translations:

JP404112374A -  
JP403178247A -  
JP406319173A ~  
JP02001028645A -

Further, a Information Disclosure Statement (IDS) was filed April 4, 2002 (Paper No. 2). The examiner initialed the IDS but did not sign and date. Appropriate correction is required.

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Accordingly, it is

**ORDERED** that the application is returned to the  
Examiner to:

1) Obtain complete English translations of the Japanese  
reference (JP404112374A, JP403178247A, JP406319173A  
and JP02001028645A);

2) to sign and date the IDS filed April 4, 2002;

3) to send both the translations and the signed and dated  
IDS to applicants;

4) to issue a Supplemental Examiner's Answer in view of the  
translations of the Japanese translations, indicating if there is  
any change in the rejections; and

5) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

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gjh  
RA04-0270

Application 10/042,428

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